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## House of Representatives

(Legislative day of Friday, December 22, 1995)

□ 1026

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. SCHIFF] at 10 o'clock and 26 minutes a.m.

### PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

As we seek to carry on our responsibilities, remind us, gracious God, of the need for righteousness and respect for every person; as we pursue the path of justice, remind us of Your gift of mercy; as we aspire to the gifts of liberty, remind us of the heavenly vision. O Creator of all the Earth, O Judge of nations and people, we pray that we will use the abilities that You have given us in ways that reflect Your word. Teach us, O God, to be humble in our service and steadfast in our commitment to the good heritage of our Nation. This is our earnest prayer. Amen.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Mississippi [Mr. MONTGOMERY] come forward and lead the House in the Pledge of Allegiance.

Mr. MONTGOMERY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed

without amendment bills of the House of the following titles:

H.R. 1295. An act to amend the Trademark Act of 1946 to make certain revisions relating to the protection of famous marks.

H.R. 2203. An act to reauthorize the tied aid credit program of the Export-Import Bank of the United States, and to allow the Export-Import Bank to conduct a demonstration project.

### ASSURING ALL FEDERAL EMPLOYEES WORK AND ARE PAID

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 1508) to assure that all Federal employees work and are paid.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

Mr. EMERSON. Mr. Speaker, reserving the right to object, I yield to the gentleman from Missouri [Mr. GEPHARDT].

Mr. GEPHARDT. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, it is my purpose today to try to bring up the bill that has already been passed in the Senate, S. 1508, which as I understand it would put the Federal employees back to work, promising that they would be paid retroactively immediately and would get the Government up and running right away without any other conditions which might interrupt the passage of this legislation.

Mr. EMERSON. Mr. Speaker, reclaiming my time, I yield to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I thank the gentleman from Missouri [Mr. EMERSON] for yielding to me.

Mr. Speaker, we have now been in a crisis mode for some weeks, the longest

that Federal employees have been placed at risk in the history of our country. Families are disrupted and in fear. Fathers and mothers are wondering how they are going to pay January's mortgage payment, how they are going to keep their families together, how they are going to run their lives. They realize, as every American realizes, that there is a confrontation between the White House and the Congress, between Republicans and Democrats on how to resolve the reconciliation bill, the so-called budget bill.

What the majority leader of the Senate did, Senator DOLE, was to say to the Senate, "As we debate the differences between us, let us not short-change either the Federal workers or the American taxpayer. Let us have our workers come to work. Let us have them be perceived as essential for doing America's business," and then, because the Speaker and the majority leader have said we are going to do it, we will pay them when we come out of this crisis.

That is appropriate to do. It is important to give them that confidence. But it is also important for the American taxpayer that they work, and they want to work. I have had literally thousands of calls to my office of people who want just simply to do their job, to go to work, to contribute, not to have a backlog, and to give their families confidence in the new year.

Mr. Speaker, this request of the minority leader, S. 1508, is a request by our side to unanimously pass what the majority leader, the Republican leader of the U.S. Senate, has put before the Senate and the Senate has passed overwhelmingly. I would hope that my friend, the gentleman from Missouri [Mr. EMERSON], would not object, because it is my understanding that the alternative to this is placing S. 1508 on the unanimous-consent calendar for

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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the purposes of amending it and sending it back to the Senate with something that the Senate has said they will not take. I do not think our side is going to object to that, but it is a false hope, I fear, for our Federal employees, and for their families.

Mr. EMERSON. Reclaiming my time, Mr. Speaker, I yield to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Speaker, I thank my good and very decent friend, the gentleman from Missouri [Mr. EMERSON], for yielding to me.

Mr. Speaker, 1995 should be the year of the Federal employee. From the bombing in Oklahoma City to the fact that we have now reduced 117,000 jobs from the Federal Government, and now to the longest furlough, shutdown, in the history of the Federal Government, Federal employees have been punished through no fault of their own. It is time we brought an end to the real suffering that these families are experiencing. And not only is it the anxiety, it is what we have done to the perception of public service.

A recent poll was taken of all the honor roll students in the country. Only 10 percent chose public service as a career they wanted to enter. This may be why, what we in the Congress have done to the Federal civil servant. So I would hope that we would seize this opportunity before us right now to accept legislation that passed by unanimous consent in the Senate.

If we agree to this, we can now put Federal employees back on the job. By January 3 we will have paid out or agreed to pay out \$1.6 billion to Federal employees for not performing work on the job. This is just to the Federal employees who have been furloughed, who have been locked out of their jobs. Some Federal employees have tried to get back into their offices, because they felt guilty about the fact that their colleagues were having to do their work. They were told it is illegal even to volunteer to perform their job.

They do not want to get paid for not working, they want to work. They should get paid for working. What this will do will ensure that they are put back on the job. All Federal employees will be considered essential employees, and then we will ensure that they get compensated for their work. This is the right thing to do, it is overdue.

I appreciate the fact that we have colleagues on the other side who would support this, and will recognize the value of civil servants. I appreciate the leader of my party offering this amendment. I would hope that we would now agree to it, by unanimous consent, just as was done by the Senate, and Federal employees can be back on the job by Tuesday, if we will do this.

Mr. EMERSON. Reclaiming my time, Mr. Speaker, I yield to the distinguished gentleman from Fairfax County, VA [Mr. DAVIS].

Mr. DAVIS. Mr. Speaker, I appreciate the gentleman yielding to me.

I just want to rise in support of the minority leader's request. We have introduced a companion bill to S. 1508 which the gentlewoman from Maryland [Mrs. MORELLA], the gentleman from Virginia [Mr. WOLF], the gentleman from Virginia [Mr. MORAN], the gentleman from Maryland [Mr. HOYER], and others have cosponsored here. This would simply call that up. This would put Federal employees back to work. We have said we are going to pay them. Let us let them earn their way the way they would like to do.

It just seems that if we want to recruit and maintain the best and brightest for Federal service, given the fact that they are undergoing downsizing and their benefits are being cut, these furloughs and unpaid Christmases are just not the way to go. This will put them back to work. I support the request.

Mr. EMERSON. Reclaiming my time, Mr. Speaker, I yield to the gentlewoman from Montgomery County, MD [Mrs. MORELLA].

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I think it is very important that we let our people go back to work. It has been much too long that we have had this partial shutdown No. 2. I know that Federal employees want to go back to work. I know many of them, despite the fact that they are furloughed, are showing up at laboratories and going in the back entrances in order to perform the critical work. I know of two-parent families where both of them are furloughed because one is with Commerce and one is with Labor, or one is with Education, or the other areas where we have not come up with appropriations for them.

It also has a critical adverse effect, consequences for the private sector, too. So many people are touched by this. It is important that we get our Federal employees back to work so they recognize that they are essential, they are excepted from furloughs, they are emergency, they are important to our country. What has happened with this shutdown has been demoralizing at the very least, so I support getting our Federal employees back to work, and this bill that we are looking at today mirrors exactly the bill that we put in on Wednesday.

Mr. EMERSON. Reclaiming my time, Mr. Speaker, I yield to the gentleman from Fairfax County, VA [Mr. WOLF].

Mr. WOLF. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I rise in support of this, too. I will have more to say a little later about the whole issue, but this would get Federal employees back, and when we think in terms of Federal employees, I think it is important to think in terms of the mission, perhaps; the FBI agent, that if everyone here had a husband or a wife or a son or a daughter kidnaped today, the first person you would call would not be your local police, it would be the FBI, or a Federal employee.

Members claim that they are concerned about drugs in the schools and drugs coming out of Mexico and places like that, but the people that we look to to keep drugs out of the country are the DEA agents, all Federal employees. My mom and dad both died of cancer. Cancer runs in my family. The cancer researcher at NIH is a Federal employee.

I think we have gotten so wrapped up, focusing on the words "Federal employee," and forgetting the individual mission. Who in the country wants to not have cancer researchers working at NIH? Who does not want the DEA to be active and involved to stop drugs coming in? Who does not want the FBI to be on the job and working? I heard the Chaplain talk about mercy and justice. I think this is an opportunity for mercy and justice. This resolution and the next resolution would get us on the way.

The last thing I want to say as a Republican and as a conservative Republican, and I am very proud to be called a conservative Republican, and I send my entire voting record out to every household in my district, there is nothing inconsistent, there is nothing inconsistent with being a strong supporter of a balanced budget in 7 years, scored by the CBO, and putting Federal employees back to work. There is nothing, nothing inconsistent. The day people believe there is an inconsistency there, then I think the thinking in this country has gone astray. To put an FBI agent back, a cancer researcher back, a DEA researcher back, a Social Security worker back is not inconsistent.

I am committed and have voted to see that we bring a balanced budget in, scored by the CBO, and that in the process, we do not do the other thing. As we hear, the end never justifies the means. The ends never, never justify the means.

Mr. EMERSON. Mr. Speaker, in consideration of certain procedural amenities that must be followed, I reluctantly object.

The SPEAKER pro tempore (Mr. SCHIFF). Objection is heard.

#### ASSURING THAT ALL FEDERAL EMPLOYEES WORK AND ARE PAID

Mr. DAVIS. Mr. Speaker, I ask unanimous consent that it be in order to consider in the House the Senate bill (S. 1508) to assure that all Federal employees work and are paid; that the amendment I have placed in the bill be considered as read and adopted, and that the bill, as amended, be considered as passed.

The Clerk read the title of the Senate bill.

The text of the Senate bill, as amended, is as follows:

S. 1508

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*